

# Exhibit A

*The Law Office of Alex M. Sonson*  
*A Law Corporation*

ALEX M. SONSON #6083  
1125 N. King Street, Suite 305  
Honolulu, Hawaii 96817  
Telephone: 671-8886

Attorney for Plaintiff  
MELANIA LAYUGAN

Electronically Filed  
FIRST CIRCUIT  
1CCV-21-0000995  
10-AUG-2021  
12:20 PM  
Dkt. 1 CMPS

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

MELANIA LAYUGAN,

Plaintiff,

vs.

✓LOWES HOME CENTERS, LLC, JOHN  
DOES1-10, DOE CORPORATIONS 1-10,  
DOE PARTNERSHIPS 1-10, and OTHER  
ENTITIES1-10,

Defendants.

CIVIL CASE NO. \_\_\_\_\_  
(Non-motor vehicle tort, Premises  
Liability )

COMPLAINT; SUMMONS

COMPLAINT

COMES NOW, MELANIA LAYUGAN, (hereinafter referred to as "Plaintiff"), by and through her counsel, the Law Office of Alex M. Sonson, and for her claims for relief against the above-named Defendants, alleges and avers as follows:

1. Plaintiff is, and at all relevant times herein was, a resident of the City and County of Honolulu, State of Hawaii.



2. DEFENDANT LOWES HOME CENTERS, LLC is and was at all times relevant was a North Carolina limited liability company doing business in the City and County of Honolulu, State of Hawaii.

3. All incidents described herein took place within the jurisdiction of the Circuit Court of the First Circuit, State of Hawaii.

4. Plaintiff is presently unable to ascertain the true identities of Defendants John Does 1-10, Doe Corporations 1-10, Doe Partnerships 1-10 and Other Entities 1-10 (hereinafter "Doe Defendants"), who are therefore sued herein under fictitious names for the reason that their true identities are presently unknown to Plaintiff, except that they are persons and/or entities who are agents, associates, masters, servants, employees, employers, or representatives of the named Doe Defendants; and/or who were in some manner presently unknown to Plaintiff engaged in activities alleged herein; and/or who are in some manner responsible for the injuries or damages to Plaintiff and/or who conducted some activities in an intentional, unlawful, reckless, negligent or dangerous manner, which unlawful and/or dangerous conduct was a proximate cause of injuries or damages to Plaintiff and/or who are in some manner related to the named Doe Defendants.

5. Plaintiff has obtained and reviewed documents concerning the incident which is described in this complaint in an attempt to ascertain the names and identities of the persons and/or entities who are in some manner responsible for the injuries to Plaintiff. However, Plaintiff at this time is unable to identify the names and identities of the persons and/or entities until Plaintiff proceeds with discovery. Plaintiff prays for leave to insert herein their true names and capacities, activities, and/or responsibilities when the same are ascertained.

6. The Court has personal jurisdiction over the above-named Defendant pursuant to Haw. Rev. State. § 634-35, as the subject tortuous acts and injuries occurred in this Circuit, and the Defendant has conducted business in this Circuit so as to subject itself to the jurisdiction of the Court.

7. The Court has subject matter jurisdiction over the present action pursuant to Haw. Rev. Stat. §603-21.5.

8. Venue is proper in this Court pursuant to Haw. Rev. Stat. § 603-36.

9. On or about October 29, 2019, Plaintiff was working as a nurse's aide and personal attendant at her client's house located at 469 Ena Road. Apt. 1807, Honolulu, Hawaii 96815. Prior thereto, Defendant's agents and/or employees had installed a sliding wooden door at the property, but did not properly install or secure it. As Plaintiff was performing her services, the door suddenly fell, striking Plaintiff in her back and shoulder.

10. Defendant owed a duty of reasonable care to Plaintiff, and breached said duty as a result of the acts described above.

11. The above-described incident was a direct and proximate result of the negligent, reckless, and wanton acts and/or omissions of the Defendant's agents and/or employees.

12. As a direct and proximate result of the above-described acts and/or omissions of Defendant, Plaintiff was seriously injured in her health, strength and activity, sustaining injury to her body. Plaintiff's injuries caused and continue to cause Plaintiff great mental, physical, emotional distress and suffering proximately caused by the negligence of the Defendants.

13. The Defendant's agents and/or employees were acting within the scope of their

employment when they installed the subject wooden door. Therefore, Defendant is liable under the theory of respondeat superior.

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

- a. Special damages in such amounts as shall be shown at trial including, but not limited to, Plaintiff's medical expenses and loss of income;
- b. General damages in the sum shown at trial;
- c. Punitive damages in such amount reasonable given in the instant case;
- d. Such other and further relief as the Court may deem just and proper, including but not limited to reasonable attorney's fees and costs of Court.

DATED: Honolulu, Hawaii, August 10, 2021.

/s/ Alex M. Sonson  
ALEX M. SONSON  
Attorney for Plaintiff  
MELANIA LAYUGAN

<b>STATE OF HAWAII</b> CIRCUIT COURT OF THE <u>FIRST</u> CIRCUIT	<b>RETURN AND ACKNOWLEDGMENT OF SERVICE</b>	
CASE NUMBER  <b>1CCV-21-0000885</b>		
CASE NAME  <b>MELANIA LAYUGAN,</b> <div style="text-align: right;"><b>Plaintiff,</b></div> <div style="text-align: center;"><b>vs.</b></div> <b>LOWES HOME CENTERS, LLC,</b> <div style="text-align: right;"><b>Defendants.</b></div>		
DOCUMENTS SERVED: <u>COMPLAINT and SUMMONS</u> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		
I, Sheriff/Police Officer of the State of Hawai'i do hereby certify that I received a certified copy of the documents listed above and that I served the same on _____ <div style="text-align: right;">(name of party)</div> on _____ at _____ at _____ <div style="display: flex; justify-content: space-around;"> <span>(date)</span> <span>(time)</span> </div> _____ within the State of Hawai'i as follows: <div style="text-align: center;">(address)</div>		
<input type="checkbox"/> <b>PERSONAL:</b> By delivering to and leaving with _____, personally.		
<input type="checkbox"/> <b>SUBSTITUTE:</b> [HRCP 4(d) (1) (A)] After due and diligent search and inquiry, I served above-named defendant through _____, a person of suitable age and discretion then residing at said party's usual place of abode, since the defendant could not be found.		
<input type="checkbox"/> <b>SUBSTITUTE:</b> [HRCP 4(d) (1) (B)] I served above-named defendant through _____, authorized agent to receive service of process for said defendant.		
<input type="checkbox"/> <b>BUSINESS/CORPORATION/GOVERNMENTAL ENTITY:</b> On _____ <div style="text-align: right;">(name of business/corp/entity)</div> _____ by serving through _____, <div style="text-align: right;">(name of person served)</div> _____, who is the _____ and authorized agent <div style="text-align: right;">(position/title)</div> of said Business/Corporation/Governmental Entity.		
<input type="checkbox"/> <b>GARNISHMENT:</b> I served _____ through _____ <div style="text-align: right;">(name of garnishee)</div> _____ who is authorized to accept service for the above-named garnishee. <div style="text-align: center;">(name of person served)</div>		
<input type="checkbox"/> <b>NOT FOUND:</b> After due and diligent search and inquiry, I am unable to find _____. <div style="text-align: right;">(name of party)</div>		

<b>STATE OF HAWAI'I</b> CIRCUIT COURT OF THE <u>FIRST</u> CIRCUIT	<b>RETURN AND ACKNOWLEDGMENT OF SERVICE</b> <b>(Page 2)</b>	
CASE NUMBER <b>1CCV-21-0000885</b>		
CASE NAME <b>MELANIA LAYUGAN,</b> <div style="text-align: right;"><b>Plaintiff,</b></div> <div style="text-align: center;"><b>vs.</b></div> <b>LOWES HOME CENTERS, LLC,</b> <div style="text-align: right;"><b>Defendants.</b></div>		
Attorney (Name, I.D. No., Address, Phone) LAW OFFICE OF ALEX M. SONSON 1125 North King Street, Suite 305, Honolulu, HI 96817 Tel. No. (808) 671-8886		
Date:	Sheriff/Police Officer (type or print)	Signature
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE: _____ IN _____, HAWAI'I	NOTARY PUBLIC'S SIGNATURE:  STATE OF HAWAI'I	MY COMMISSION EXPIRES:  
<b><u>ACKNOWLEDGMENT OF SERVICE</u></b>		
<div style="display: flex; justify-content: space-between; margin-bottom: 10px;"> <div>_____</div> <div>_____</div> <div>_____</div> </div> <div style="display: flex; justify-content: space-between;"> <div>(signature of person served)</div> <div>(date)</div> <div>(time)</div> </div>		

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

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MELANIA LAYUGAN,

Plaintiff,

vs.

LOWES HOME CENTERS, LLC, JOHN  
DOES1-10, DOE CORPORATIONS 1-10,  
DOE PARTNERSHIPS 1-10, and OTHER  
ENTITIES1-10,

Defendants.

CIVIL CASE NO.  
(Motor Vehicle Tort)

SUMMONS

SUMMONS

STATE OF HAWAII

To the above-named Defendants:

You are hereby summoned and required to file with the court and serve upon Plaintiff's attorney, The Law Office of Alex M. Sonson, 1125 N. King Street, Suite 305, Honolulu, Hawaii 96817, an answer to the Complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Complaint.

This summons shall not be personally delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the general public, unless a judge of the above-entitled court permits, in writing on this summons, personal delivery during those hours.





A failure to obey this Summons may result in an entry of default and default judgment against the disobeying party.

DATED: Honolulu, Hawaii, 8/10/2021 \_\_\_\_\_.



/S/ P. NAKAMOTO

\_\_\_\_\_  
CLERK OF THE ABOVE-ENTITLED COURT